



**New Jersey Department of Environmental Protection
Site Remediation and Waste Management Program**

**INSTRUCTIONS FOR THE REMEDIAL ACTION PERMIT TRANSFER / CHANGE OF
PROPERTY OWNERSHIP APPLICATION**

General Instructions

1. **Applicability.** Use this form to request a transfer of an effective Remedial Action Permit to a new property owner of the site no later than 60 calendar days after the sale or transfer of the property, pursuant to N.J.A.C. 7:26C-7.
The “Person Responsible for Conducting the Remediation” cannot transfer their permit responsibility and shall remain on the permit.
2. **Updates.** The New Jersey Department of Environmental Protection (NJDEP) may update this form periodically. Please ensure you are using the latest version of this form. Download the latest version of this form from the NJDEP Website: <http://www.nj.gov/dep/srp/srra/forms/>.
3. **Signatures.** This form must be signed by the person responsible for conducting the remediation, the former property owner, the current property owner.
4. Completed forms should be sent to:
Bureau of Case Assignment & Initial Notice
Site Remediation and Waste Management Program
NJ Department of Environmental Protection
401-05H
PO Box 420
Trenton, NJ 08625-0420

Section A. Site Name and Location

- **Site Name:** Provide the name of the site (i.e., ABC Corporation Site);
- **List All AKAs:** List all other known names for the site;
- **Street Address:** Provide the street address for the site NOTE: This should be the physical location of the site – not the mailing address;
- **Municipality:** Provide the name of the municipality(ies) in which the facility is physically located and indicate if it is a township, borough, village, or city. NOTE: This should be the name of the incorporated municipality and not the local name;
- **County:** Provide the name of the county(ies) where the site is located;
- **Zip code:** Enter the five digit code for the physical location of the site;
- **Program Interest (PI) Number(s):** Provide the PI Number assigned to the site/case. The PI Number is assigned by the NJDEP and can be obtained via the web at <http://www.nj.gov/dep/srp/> (DEP DATA MINER REPORTS).
- **Remedial Action Permit Number(s):** Provide all Remedial Action Permit Numbers (see page 1 of permit).
- **Municipal Block(s) and Lot(s):** Provide the municipal block(s) and lot(s) numbers for the entire site (not just the municipal block(s) and lot(s) numbers of the permit);
- **Federal Case:** Indicate if the site is a federal case. If “Yes,” indicate the case type; check all that apply. Please note that the following Federal Facility case types are ineligible to proceed without the NJDEP’s pre-approval: US Department of Energy sites, US Department of Defense sites, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) sites (commonly known as NPL/Superfund sites), and Resource Conservation and Recovery Act (RCRA) Government Priority Remedial Action (GPRA) Sites listed at <http://www.epa.gov/epawaste/hazard/correctiveaction/pdfs/2020scc.pdf>. Additional information regarding the Site Remediation Reform Act (SRRA) implementation process for RCRA, CERCLA and Federal Facility Sites can be found at: http://www.nj.gov/dep/srp/srra/training/matrix/quick_ref/rcra_cercla_fed_facility_sites.pdf.

If you have any questions please contact the Bureau of Case Management at 609-633-1455.

Section B. Permit Transfer Fees

Check the appropriate box for the permit type and the fee that will accompany this permit transfer form. Checks shall be made payable to “Treasurer State of New Jersey.” Include your Program Interest Number and Permit number on your check.

This form can also be used to update Permittee / Co-Permittee Contact Information and/or the fee billing contact information. There is no fee for updating this information.

Please note: This form can only be used to change the contact name, phone number, or email address of a Permittee / Co-Permittee. To make changes in address or Name of Organization / Affiliation you must submit a Remedial Action Permit Application available at <http://www.nj.gov/dep/srp/srra/forms> to modify the permit.

Section C. Fee Billing Contact Person

Complete this section for the fee billing contact person. The Annual Permit Fee Invoice will be mailed to this person.

Section D. Former Property Owner/Current-Permittee

Complete this section for the Former Property Owner/Current Permittee. Indicate if the former property owner had primary responsibility for permit compliance.

Section E. New Property Owner/Prospective Permittee

Complete this section for the New Property Owner/Prospective Permittee. Indicate if the new property owner will have primary responsibility for permit compliance; if not, then the person responsible for conducting the remediation will have the primary responsibility for permit compliance. Provide the date the property sale or transfer occurred. If there is more than one person, complete the Addendum for the additional person(s).

Section F. Financial Assurance

1. Indicate if the Remedial Action includes an engineering control. The information can be found on the effective Remedial Action Permit as "Permit Type". If the Remedial Action **does not** include an engineering control, than Financial Assurance (FA) is not required for the permit, skip the rest of this section and go to the next section. Note: Permits for Monitored Natural Attenuation do not require FA.
2. Indicate if there are any changes in FA as a result of this transfer.
3. The Administrative Requirements for the Remediation of Contaminated Sites, specifically N.J.A.C. 7:26C-7.10(c) defines certain entities that are exempt from establishing FA. Check all that qualifies you to be exempted. If you are exempt skip the rest of this section and go to the next section.

In the event that more than one permittee is required to establish FA and one or more of the permittees is exempt from this requirement, the non-exempt permittee(s) shall establish the full amount of the FA required.

Refer to N.J.A.C. 7:26C-5 for the FA requirements <http://www.nj.gov/dep/srp/regs/arccs/index.html>.

4. Indicate whether the current owner of the site is either a homeowner association or a condominium association. If a homeowner association or a condominium association is identified in Section E of this Permit Application, attach a copy of the association's annual budget that includes funds for monitoring and maintenance of the engineering control, skip the rest of this section and go to the next section.
5. Include a cost estimate for the operation, maintenance, and monitoring of the engineering control(s) at the site. The LSRP will determine the amount of funds needed to operate, maintain, and monitor the engineering control(s) at the site for as long as the control(s) are needed, up to thirty (30) years (minimum of \$30,000 for a 30 year time frame). Guidance for acceptable cost estimates can be found in the Remedial Action Permit Guidance Document at http://www.nj.gov/dep/srp/guidance/index.html#top_permits.
6. Enter the full dollar amount established as the FA. Submit a completed Remediation Cost Review and RFS/FA form that describes how the LSRP estimated the amount of the FA along with this transfer application if there any changes to Financial Assurance. This form can be found at <http://www.nj.gov/dep/srp/srra/forms>.
7. Identify the FA Mechanism used as one or any combination of the following: a Remediation Trust Fund, an Environmental Insurance Policy, a Line of Credit, a Letter of Credit, or a loan or a grant.

The following is guidance on FA Mechanisms for engineering controls.

Financial Assurance Mechanism	Acceptable as Financial Assurance for an Engineering Control?
1. A remediation trust fund agreement in accordance with N.J.A.C. 7:26C-5.4	Yes
2. An environmental insurance policy in accordance with N.J.A.C. 7:26C-5.5	Yes
3. A line of credit agreement in accordance with N.J.A.C. 7:26C-5.6	Yes
4. A letter of credit in accordance with N.J.A.C. 7:26C-5.7	Yes
5. A loan or a grant in accordance with N.J.A.C. 7:26C-11 and 12	Yes
6. A self-guarantee in accordance with N.J.A.C. 7:26C-5.8	No

8. Provide the name, address, and phone number of the contact person at the financial institution for the FA.
9. Attach the original FA mechanism if there are any changes to the FA.

Note: If there is a change in the FA the NJDEP will not authorize the release of an existing FA instrument until a new FA instrument is established and in place.

Section G. Land Use

1. Check all that apply to indicate the current land use(s) for the site where the discharge originated.
2. Check all that apply to indicate the off-site land use(s) for Blocks/Lots included in the aerial extent of the Classification Exception Area (CEA).

Section H. Other Remedial Action Permits

Identify if any other Remedial Action Permits are being applied for or obtained. List the Permit Type, Permit Number and Effective Date for each Remedial Action Permit obtained or the type of Remedial Action Permit(s) being applied for.

Section I. Person Responsible for Conducting the Remediation Information and Certification

The certification in this section shall be signed and dated by the person responsible for conducting the remediation. The certification in this section shall **not** be signed by the licensed site remediation professional or law firm hired to assist the owner or operator with their compliance obligations. The certification required in this section shall be executed as follows:

1. For a corporation or limited liability company, by a principal executive officer of at least the level of vice president; or
 2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
 3. For a municipality, state, Federal or other public agency, by either a principal executive officer or ranking elected official; or
 4. By a duly authorized representative of the corporation, partnership, sole proprietorship, municipality, state or Federal or other public agency, as applicable. A person is deemed to be a duly authorized representative if the person is authorized in writing by an individual described in 1, 2 or 3 above and the authorization meets the following criteria:
 - i. The authorization specifies either an individual or a position having responsibility for the overall operation of the industrial establishment or activity, such as the position of plant manager, or a superintendent or person of equivalent responsibility (a duly authorized representative may thus be either a named individual or any individual occupying a named position);
 - ii. The written authorization is submitted to the NJDEP along with the certification; and
 - iii. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the industrial establishment or activity, a new authorization satisfying the requirements of this section shall be submitted to the NJDEP prior to or together with any reports, information, or applications to be signed by an authorized representative.
- Provide the full legal name of the person responsible for conducting the remediation;
 - Provide the full name of the representative of the person responsible for conducting the remediation, pursuant to N.J.A.C. 7:26C-1. Enter "Same" if the representative is the same person as the person responsible for conducting the remediation;
 - Provide the title of the representative of the person responsible for conducting the remediation;
 - Provide the telephone number, extension number, and fax number of the representative of the person responsible for conducting the remediation;

- Provide the mailing address, including the city/town, state, and zip code of the representative of the person responsible for conducting the remediation;
- Provide the email address of the representative of the person responsible for conducting the remediation;
- The representative for the person responsible for conducting the remediation shall provide:
 - ❖ His/her signature where indicated;
 - ❖ His/her name and title (i.e., President, CEO); and
 - ❖ The date when the signing occurred.

Section J. Former Owner of the Site Information and Certification

The certification in this section shall be signed and dated by the person who formerly owned the property. The certification in this section shall **not** be signed by the Licensed Site Remediation Professional or law firm hired to assist the owner or operator with their compliance obligations. The certification required in this section shall be executed as follows:

1. For a corporation or limited liability company, by a principal executive officer of at least the level of vice president; or
 2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
 3. For a municipality, state, Federal or other public agency, by either a principal executive officer or ranking elected official; or
 4. By a duly authorized representative of the corporation, partnership, sole proprietorship, municipality, state or Federal or other public agency, as applicable. A person is deemed to be a duly authorized representative if the person is authorized in writing by an individual described in 1, 2 or 3 above and the authorization meets the following criteria:
 - i. The authorization specifies either an individual or a position having responsibility for the overall operation of the industrial establishment or activity, such as the position of plant manager, or a superintendent or person of equivalent responsibility (a duly authorized representative may thus be either a named individual or any individual occupying a named position);
 - ii. The written authorization is submitted to the NJDEP along with the certification; and
 - iii. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the industrial establishment or activity, a new authorization satisfying the requirements of this section shall be submitted to the NJDEP prior to or together with any reports, information, or applications to be signed by an authorized representative.
- Provide the full legal name of the person who owned the property;
 - Provide the full name of the representative of the person who owned the property, pursuant to N.J.A.C. 7:26C-1. Enter "Same" if the representative is the same person as the person who owned the property;
 - Provide the title of the representative of the person who owned the property;
 - Provide the telephone number, extension number, and fax number of the representative of the person who owned the property;
 - Provide the mailing address, including the city/town, state, and zip code of the representative of the person who owned the property;
 - Provide the email address of the representative of the person who owned the property;
 - The representative for the person who owned the property shall provide:
 - ❖ His/her signature where indicated;
 - ❖ His/her name and title (i.e., President, CEO); and
 - ❖ The date when the signing occurred.

Section K. New Owner of the Site Information and Certification

The certification in this section shall be signed and dated by the person who owns the property. The certification in this section shall **not** be signed by the Licensed Site Remediation Professional or law firm hired to assist the owner or operator with their compliance obligations. The certification required in this section shall be executed as follows:

1. For a corporation or limited liability company, by a principal executive officer of at least the level of vice president; or
2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or

3. For a municipality, state, Federal or other public agency, by either a principal executive officer or ranking elected official; or
 4. By a duly authorized representative of the corporation, partnership, sole proprietorship, municipality, state or Federal or other public agency, as applicable. A person is deemed to be a duly authorized representative if the person is authorized in writing by an individual described in 1, 2 or 3 above and the authorization meets the following criteria:
 - i. The authorization specifies either an individual or a position having responsibility for the overall operation of the industrial establishment or activity, such as the position of plant manager, or a superintendent or person of equivalent responsibility (a duly authorized representative may thus be either a named individual or any individual occupying a named position);
 - ii. The written authorization is submitted to the NJDEP along with the certification; and
 - iii. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the industrial establishment or activity, a new authorization satisfying the requirements of this section shall be submitted to the NJDEP prior to or together with any reports, information, or applications to be signed by an authorized representative.
- Provide the full legal name of the person who owns the property;
 - Provide the full name of the representative of the person who owns the property, pursuant to N.J.A.C. 7:26C-1. Enter "Same" if the representative is the same person as the person who owns the property;
 - Provide the title of the representative of the person who owns the property;
 - Provide the telephone number, extension number, and fax number of the representative of the person who owns the property;
 - Provide the mailing address, including the city/town, state, and zip code of the representative of the person who owns the property;
 - Provide the email address of the representative of the person who owns the property;
 - The representative for the person who owns the property shall provide:
 - ❖ His/her signature where indicated;
 - ❖ His/her name and title (i.e., President, CEO); and
 - ❖ The date when the signing occurred.